

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

★ AUG 21 2019 ★

LONG ISLAND OFFICE

In re Cablevision Consumer Litigation :
----- :

Master File No. :

CV 10-4992 (JS) (AKT)

This Document Relates to: :
All Actions :
_____ :

FINAL APPROVAL ORDER AND JUDGMENT

The Court, after notice to the Settlement Class¹ held a hearing on may 17, 2018 for the purpose of determining:

1. Whether the proposed settlement of the claims asserted by Plaintiffs in the above-captioned lawsuit (the “Action”), on the terms set forth in the Class Action Settlement Agreement dated June 27, 2017 (the “Agreement”), and the exhibits thereto, is fair, reasonable, and adequate, and should be finally approved by the Court;

2. whether, pursuant to the terms of the proposed settlement, a judgment should be entered dismissing Cablevision Systems Corporation and CSC Holdings, LLC (collectively, “Cablevision”) and Cablevision’s present and former parents, subsidiaries, affiliated entities, predecessors, successors, and assigns, and each of their respective present, former, and future officers, directors, employees, agents, customer service providers, independent contractors, successors, assigns, parents, subsidiaries, affiliates, insurers, attorneys, and legal representatives

¹ The Settlement Class is defined as:

All individuals who contracted with Cablevision prior to October 16, 2010, to receive cable television services on or after October 16, 2010. Excluded from the Class are Cablevision’s officers, directors, legal representatives, heirs, successors, and assigns; and any judicial officer assigned to this case, and his or her immediate family.

of and from all Released Claims; and

3. if the settlement is approved, whether the attorneys' fees and expenses to Settlement Class Counsel requested pursuant to the application for attorneys' fees and expenses filed by Settlement Class Counsel on April 9, 2018 should be approved.

The Court, having heard all persons properly appearing and requesting to be heard, having considered the papers submitted in support of the proposed settlement, and the oral presentations of counsel, having considered the applicable law, and having considered any objections properly made to the proposed settlement, GRANTED the proposed settlement at the conclusion of the Fairness Hearing on May 17, 2018. However, the Court reserved decision on Class Counsels' Motion for Approval of Attorneys' Fees, Reimbursement of Litigation Expenses, and Service Payment to Class Representatives. That Motion was GRANTED in the Memorandum and Order issued by this Court on August 19, 2019. This Final Approval Order adopts and incorporates both the May 17, 2018 decision issued at the conclusion of the Fairness Hearing granting approval of the Settlement Agreement, as well as the August 19, 2019 Memorandum and Order granting approval of the motion for attorneys' fees, expenses and service payments, the terms defined therein, and all exhibits thereto. The Court further finds that there is no just reason for delay of the entry of this Final Approval Order and Judgment.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. The Court finds that it has personal jurisdiction over all members of the Settlement Class and that it has subject matter jurisdiction to approve the Agreement and all exhibits thereto.

2. The Court gives final approval to the settlement, including the award of attorneys' fees, as fair, reasonable, and adequate as to all Parties, and consistent and in compliance with all requirements of federal law as to, and in the best interests of, all Parties and the members of the Settlement Class, and directs the Parties and their counsel to implement and consummate the Agreement in accordance with its terms and provisions.

3. The Court declares the Agreement and the Final Approval Order and Judgment to be binding on, and have res judicata and preclusive effect in all pending and future lawsuits or other proceedings encompassed by the release set forth in Paragraph 16 of the Agreement maintained by or on behalf of Plaintiffs or any other members of the Settlement Class, as well as their heirs, executors, administrators, successors, and assigns.

4. The Court finds that the notice implemented pursuant to the Agreement (i) constitutes notice that is reasonably calculated, under the circumstances, to apprise members of the Settlement Class of the pendency of the Action, their right to object to or exclude themselves from the proposed settlement, and to appear at the Final Approval Hearing, and their right to seek monetary and other relief; (ii) is reasonable and constitutes due, adequate, and sufficient notice to all persons entitled to receive notice; and (iii) meets all applicable requirements of federal law.

5. The Court finds that final certification of the Settlement Class (including its Sub-Classes) is appropriate and that the Settlement Class Counsel and Plaintiffs adequately represented the Settlement Class (including its Sub-Classes) for the purpose of entering into and implementing the settlement.

6. The Court dismisses the Action (including all individual and class claims presented thereby, or that could have been presented thereby) on the merits, and with prejudice and without fees or costs, except as provided herein.

7. The Court adjudges that Plaintiffs and the Settlement Class have fully, finally, and conclusively compromised, settled, discharged, dismissed, and released any and all Released Claims against Cablevision and is further provided in paragraph 16 of the Agreement.

8. The Court approves the payment of attorneys' fees to Settlement Class Counsel in the amount of \$4,750,000, plus an award of \$264,479.64 in costs and expenses, for a total Attorneys' Fee Award of \$5,014,479.64 (the "Attorneys' Fee Award"). The Attorneys' Fee Award will be paid to Ralph M. Stone of Stone Bonner & Rocco, LLP as designee of Settlement Class Counsel in accordance with the terms of the Agreement. The award of attorneys' fees shall be allocated by Settlement Class Counsel in their discretion, among other plaintiffs' counsel for their respective contributions in the prosecution of this litigation. The Attorneys' Fee Award shall be paid no later than the later of: (i) forty-five (45) days after the date of the entry of the Final Approval Order and Judgment; (ii) forty-five (45) days after the resolution of any motion enumerated in Federal Rule of Appellate Procedure 4(a)(4)(A); or (iii) thirty (30) days after the full and final resolution of any appeal of the Final Approval Order and Judgment, provided the Final Approval Order and Judgment has not been reversed or modified in any material respect as a result of any such motion or appeal. Settlement Class Counsel are authorized to and shall pay out of the Attorneys' Fee Award a service award of \$1,500 each to the following plaintiffs: Sean Ahearn, John Azzarello, Eric Bohm, John Brett, Angelo Brucchieri, William G. Canfield, Ralph Dudley, Arthur Finkel, Salvatore A. Gandolfo, Tina Green, Andrew Koplik, David Menoni,

Theodore Pearlman, Vincent Pezzuti, Dorothy Rabsey, Martin J. Siegel, Stanley J. Somer and Marc Tell.

9. Without affecting the finality of the Final Approval Order and Judgment for purposes of appeal, the Court reserves jurisdiction over Cablevision, Plaintiffs, and the Settlement Class as to all matters relating to the administration, consummation, enforcement, and interpretation of the terms of the Agreement and the Final Approval Order and Judgment, and for any other necessary purposes.

10. Upon entry of this Order, Plaintiffs and all members of the Settlement Class who had not been excluded from the Settlement Class shall permanently be barred from asserting and shall have released any and all Released Claims against Cablevision, the Releasees, or any other designees acting on behalf of or through Cablevision, as further provided in the release set forth in Paragraph 16 of the Agreement.

11. Upon entry of this Order Cablevision and the Releasees shall permanently be barred from asserting and shall have released any and all Released Claims Against Plaintiffs against Plaintiffs, their attorneys, members of the Settlement Class, as further provided in the release set forth in Paragraph 16 of the Agreement.

12. The Court determines that the Agreement and the Settlement provided for therein, and any proceedings taken pursuant thereto, are not offered or received, and should not in any event be offered or received as evidence, a presumption, a concession, or an admission of liability by Cablevision; provided, however, that reference may be made to the Agreement and the Settlement provided for therein in such proceedings as may be necessary to effectuate the provisions of the Agreement.

13. The Court bars and enjoins all members of the Settlement Class who have not been excluded from the Settlement Class from: (i) filing, commencing, prosecuting, intervening in, or participating (as class members or otherwise) in any other lawsuit or administrative, regulatory, arbitration, or other proceeding in any jurisdiction based on, relating to, or arising out of the claims and causes of action, or the facts and circumstances relating thereto, in the Action and/or the Released Claims; (ii) organizing members of the Settlement Class who have not been excluded from the class into a separate class for purposes of pursuing as a purported class-action any lawsuit or administrative, regulatory, arbitration, or other proceeding (including by seeking to amend a pending complaint to include class allegations, or seeking class certification in a pending action) based on, relating to, or arising out of the claims and causes of action, or the facts and circumstances relating thereto, in the Action and/or the Released Claims.

14. The Court approves the Opt-Out List attached hereto as Exhibit A, and determines that the Opt-Out List is a complete list of Settlement Class members who have timely requested exclusion from the Settlement Class and, accordingly, shall neither share in or be bound by the Final Approval Order and Judgment or Agreement.

15. The Parties are hereby authorized to agree to and adopt such an amendments to, and modifications and expansions of, the Agreement and all exhibits and amendments thereto as: (i) are consistent in all material respects with this Final Approval Order and Judgment; and (ii) do not limit the rights of the Settlement Class members.

16. In the event that the settlement does not become effective in accordance with the terms of the Agreement, then the Agreement, this Final Approval Order and Judgment, and other terms herein including the certification of the Settlement Class shall be rendered null and void,

and be vacated.

17. The Court finds that there is no just reason to delay the entry of this Judgment as a final judgment in this action. Accordingly, the Clerk of the Court is hereby directed to enter this final judgment in this Action.

SO ORDERED this 21st day of August, 2019

/s/ A. Kathleen Tomlinson

Hon. A. Kathleen Tomlinson
United States Magistrate Judge

Exhibit 1

I.
Requests for Exclusion from Class
Submitted in Response to Notice Given in 12/2014-1/2015
(Last name, First name)

1	Allyn	James
2	Amels	Ronald
3	Anastasio	Jean
4	Aniszewska	Joanna
5	Armato	Susan
6	Arnold	"Robert , Jr."
7	Aronow	Zenith F.
8	Attison	Betty
9	Auerbach	Stephen
10	Azzara	Giovanni
11	Bakke	Jens
12	Ballo	Laura
13	Barresi	Josephine
14	Barrett	Jeffery J.
15	Barth	Suzanne
16	Bates	Yolanda
17	Bazin	Elizabeth
18	Beatty	Violet S.
19	Beck	Victor
20	Bell	Margaret
21	Benbasset	Jessica
22	Berger	Charles
23	Beverage	Keith D.
24	Bianco	Almira
25	Blatt	Sydelle
26	Boergesson	Robert E.
27	Bologna	Vincent
28	Borbotti	Gertrude
29	Bottitta	Joseph
30	Brannigan	Angelina and Gary
31	Brodesser	Ronald
32	Broglio	Lawrence
33	Burgos	Sylvia R.
34	Burns	Clifford
35	Canoncio	Andrew
36	Capiello	Barbara
37	Cardoso	Eva
38	Carpentier	Fred
39	Cavallo	Carmen L.
40	Cerchiai	Cesare

41	Cesari	Joy
42	Chang	Marcia
43	Cherelov	Ivan
44	Christakos	Kostas
45	Cirigano	Joe
46	Collins	Donald J.
47	Colthart	Brenda J.
48	Colucci	Douglas
49	Conigliaro	Frank J.
50	Connelly	Patricia
51	Connolly	Erin M.
52	Considine	Joan
53	Cooke	Dorothy J.
54	Corin	Jane L.
55	Cox	Lynda
56	Cozza	Patricia
57	Cunningham	Jeanne M.
58	Cybulski	Thomas
59	D'Agostino	Jeanna
60	Dalvano	Richard
61	Daniele	Louis
62	Davenport	Anne
63	Davenport	Raymond
64	Daw	Kate
65	De Nicolo	Michael
66	DeBerry	Frances
67	Delaportas	Jerome
68	Deleo	Vincent
69	DeMarco	Amelia
70	DeNicolo	Michael
71	Desiderio	Lawrence
72	DeVellis	Mary
73	Diaz	Maria
74	DiFrancesco	Antonia
75	DiGiovacchino	Diane
76	Dohnert	Edward
78	Domowicz	Frances
79	D'Orio	Mary L.
80	Faljean	Doreen
81	Fargnoli	Basil
82	Felsen	Ricki Rice
83	Finocchiario	Toni
84	Frances	Hulley
85	Fratino	Linda
86	Freeman	Peter
87	Friedman	Barbara

88	Friefeld	Frances
89	Frontino	Kathryn
90	Fuchs	Dean
91	Genovese	Irene
92	Georgetti	Vilma
93	Gerard	Judith
94	Gorman	Ronnie
95	Gottlieb	Jay
96	Gould	Louise Helen
97	Grabkowitz	Alan
98	Graham	Thomas
99	Granata	Frank Mark
100	Griffith	Fred
101	Guastella	Tom
102	Hackett	Joan
103	Hall	Virginia
104	Hammarlund	Norma
105	Harris	Marcellous & Vivian
106	Harris	Sharon
107	Harrison	Richard
108	Hastanan	Chintana
109	Hauser	William D.
110	Helsel	Monica
111	Henshaw	Mildred
112	Herbert	Maureen
113	Herrmann	Margaret
114	Hersch	Walter
115	Hewitt	James M.
116	Higgins	Diane
117	Higgins	Robert
118	Himmel	Cheree
119	Holst	Gail
120	Horowitz	Arthur
121	Horowitz	Karen
122	Hotaling	Kenneth
123	Hughes	Helen
124	Jansen	Sade
125	Jenkins	Renna
126	Johnson-Sisti	Wanda
127	Kasayanova	Janna
128	Kaminsky	Seymour
129	Keller	Linda
130	Kerpelman	Howard
131	Kincaid	Marjorie
132	Kowalski	Robert
133	Krinitz	Janice

134	Kruse	Gisela
135	Krygsman	Adrian
136	Kubinski	Theresa
137	Kukuc	Rose
138	Lacava	Bruce
139	Lanni	Chris
140	LaRocco	Richard
141	Lepinsky	Mary
142	Limoli	Bret
143	Linick	Andrew
144	Lipetz	Ronald
145	Louison	L.A.
146	Lurato	Laura
147	Lutri	Joseph
148	Maher	Elizabeth
149	Maier	Henning
150	Malloy	Diane
151	Marona	Robert
152	Martin	Anne
153	Martin	Elsie
154	Martin	Marguerite
155	"Matey, Jr"	Raymond F.
156	McAdam	Frances
157	McCreight	Loretta L.
158	McNeil	Mary
159	Medla	Elizabeth
160	Meklans	Paul
161	Meyer	Elisabeth
162	Miata	Aurora
163	Misku	Haxhire
164	Moesch	George
165	Monti	Tonia
166	Morgan	Elizabeth C.
167	Nagai	Terry
168	Niosi	John and Mary
169	Nowicki	Joan
170	Nuccio	Josephine
171	O'Brian	William
172	O'Brien	William A.
173	O'Connor	Brian P.
174	Okin	Louis
175	Orlando	Theresa
176	Osterlund	James
177	Pace	Janice
178	Packer	John
179	Para	Martha

180	Passalacqua	Joan
181	Passanant	Helen
182	Pazienza	Linda
183	Perez	Pedro
184	Perpignan	Lora
185	Peterson	Ken
186	Petrillo	Claire
187	Petty	Irene M.
188	Phillips	John
189	Piazza	Barbara
190	Pico	Francis
191	Pintak	Katherine
192	Polansky	Mary
193	Pollack	Michele
194	Pomeranz	Janet
195	Porcelli	Joseph J.
196	Porter	Barbara
197	Powell	Gracelyn
198	Puglisi	Charles
199	Quattrociocchi	Jessie
200	Radzvilla	Anne N.
201	Raymond	Alan
202	Reeves	John
203	Repetto	Anthony
204	Rivera	Laurie
205	Rodriguez	Margarita
206	Rosa	Dominic
207	Rosado	Teresa
208	Rosen	Marlene
209	Rueda	R.
210	Russell	Eleanor
211	Saia	Lois
212	Salters	Candy
213	Sanetti	Edward
214	Sanzone	Doris
215	Schaeffer	Neta
216	Schnibbe	Anne
217	Sclafani	Vincent
218	Scotellaro	Rocco
219	Serure	Ronni
220	Shaw	Robert & Janet
221	Sherwin	Leslie and Robert
222	Show	Janet
223	Siconolfi	Rosemary
224	Siegel	Florence
225	Siegel	Howard

226	Smith	Lawrence
227	Somma	Kathryn
228	Spangenberg	Mora
229	Staire	Arnold
230	Steidl	Raymond
231	Stein	Laura
232	Stone	Arlene H.
233	Temple	Paul E.
234	Tesori	Michael
235	Thompson	Robert
236	Thomson	Jean
237	Tomaro	John
238	Torres	Paula
239	Van Doren	Charles
240	Vanderbilt	Katherine
241	Vanderbilt	Richard W.
242	Villalobos	Edward
243	Vought	Thomas
244	Wachter	Anne
245	Ware	Dara M.
246	Warren	Marjory
247	Weiland	Ruth
248	Wellvitz	Lloyd
249	Widmayer	Ida
250	Williams	Patricia J.
251	Winne	Gladys M.
252	Wisoff	R.
253	Wolf	Martha C.
254	Wurst	Rose
255	Yeomans	William
256	Young	Elizabeth
257	Yow	Fiona Lee
258	Yow	Madeline Lee (deceased)
259	Ziegler	John
260	Zottarelli	Diana
261	"D Star Waterproofers, Inc."	
262	Sisters of St. Joseph	

II.

Requests for Exclusion from Class
Submitted in Response to Notice Given in 2/2018-3/2018
(Last name, First name)

1	Azzato	Judith
2	Borschein	Angelina
3	Chapman	Stephanie
4	Connelly	Patricia
5	De Angelo	Louis
6	Echevarria	Lorraine
7	Fahey	Margaret
8	Fargnoli	Barbara/Basil
9	Garges	John
10	Hochstaedter	Doreen
11	Ibrahim	Amir
12	Incorvaia	Francesca
13	Janusz	Richard
14	Nagai	Terry
15	Nicosia	David
16	Quatrociocchi	Jessie
17	Schachter	Jesse
18	Sparano	Palma
19	Stone	Arlen H.
20	Szczechura	Adrian
21	Trinchitella	Pamela
22	Voyes	John
23	Zbuchalski	Lorraine